

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RICHARD M. TRICE,)
Plaintiff,)
v.) No. 1:18CV000207 HEA
ELI RODGERS, et. al,)
Defendants.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Motion for Appointment of Counsel [Doc. No. 58]. The motion will be denied, without prejudice.

There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See *Johnson v. Williams*, 788 F.2d 1319, 1322–23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

After considering these factors, the Court finds that the appointment of counsel is not warranted at this time. This case is neither factually nor legally complex.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel [Doc. No. 58], is denied without prejudice.

Dated this 15th day of October, 2020.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE